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[additional counsel on signature page]

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

**CALIFORNIA HIGH-SPEED RAIL
AUTHORITY,**

Plaintiff,

V.

**UNITED STATES DEPARTMENT OF
TRANSPORTATION, et. al.,**

Defendants.

Case No. 2:25-cv-02004-DAD

STIPULATION REGARDING RE-OBLIGATION OF GRANT FUNDS

Hon. Dale A. Drozd

STIPULATION REGARDING RE-OBLIGATION OF GRANT FUNDS

WHEREAS, on July 16, 2025, Drew Feeley, Acting Administrator of the Federal Railroad Administration (“FRA”), issued a final decision to the California High-Speed Rail Authority (“Authority”) terminating Cooperative Agreements FR-HSR-0118-12 (“FY10 Agreement”) and 69A36524521070FSPCA (“FSP Agreement”) (collectively “Cooperative Agreements”), between the Authority and FRA, and FRA de-obligated the \$3,321,410,134 in funding obligated to the Authority by the Cooperative Agreements;

WHEREAS, the FSP Agreement was a phased funding agreement that also included \$680,809,866 in Fiscal Year 2026 funds as a contingent commitment, that has not been obligated;

WHEREAS, by this action filed against Defendants U.S. Department of Transportation; Sean Duffy, in his official capacity as Secretary of Transportation; FRA; and Drew Feeley, in his official capacity as Acting Administrator of the FRA, Plaintiff California High-Speed Rail Authority challenges the July 16, 2025, termination of the Cooperative Agreements, and de-obligation of the \$3,321,410,314 in funding obligated to the Authority by the Cooperative Agreements;

WHEREAS, Defendants have confirmed the de-obligated funds remain available until expended for the originally authorized purpose;

WHEREAS, the parties wish to avoid unnecessary, emergency motion practice,

NOW THEREFORE, BASED ON THE FOREGOING, the parties, through their counsel further stipulate and agree as follows:

1. Defendants U.S. Department of Transportation, Sean Duffy, in his official capacity as Secretary of Transportation; Federal Railroad Administration; and Drew Feeley, in his official capacity as Acting Administrator of the Federal Railroad Administration, agree that no portion of the \$3,321,410,134 in funding de-obligated by Defendants’ July 16, 2025 termination decision or the \$680,809,866 contingent commitment will be re-obligated, transferred, or awarded to any other program(s) or recipient(s), except through a new Notice of Funding Opportunity (NOFO) and award to be issued by Defendants pursuant to applicable rules and regulations and standard

1 practices and procedures, and for purposes authorized by the applicable appropriation that funded
2 the Cooperative Agreements.

- 3 2. Plaintiff California High-Speed Rail Authority will not move the Court for a temporary restraining
4 order or preliminary injunction to prevent re-obligation of the Cooperative Agreement funding
5 unless and until Defendants issue a new NOFO to re-obligate any portion of the Cooperative
6 Agreement funding.

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8 **IT IS SO STIPULATED.**

9
10 ROB BONTA
Attorney General of California

11 PAUL STEIN
12 Supervising Deputy Attorney General

13 /s/ Sharon L. O'Grady

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DECLARATION OF SERVICE BY U.S. MAIL

Case Name: *California High-Speed Rail Authority v. U.S. Dept. of Transportation, et al.*
Case No.: **2:25-cv-2004-DAD-CKD (E.D. Cal.)**

I, Vanessa Jordan, declare:

I am employed by the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am over the age of 18 years and not a party to this matter; my business address is 455 Golden Gate Avenue, Suite 11000, San Francisco, CA 94102-7004.

On July 22, 2025, I served the following document entitled:

"STIPULATION REGARDING RE-OBLIGATION OF GRANT FUNDS"

by causing true copies thereof to be enclosed in sealed envelopes with postage thereon fully prepaid, and placed in the United States Mail at San Francisco, California, addressed as follows:

Kathryn Barragan Trial Attorney, U.S. Department of Justice Civil Division, Federal Programs Branch 1100 L Street, N.W. Washington, D.C. 20005 <i>Attorney for United States</i>	Jason Altabet Trial Attorney, U.S. Department of Justice Civil Division, Federal Programs Branch 1100 L Street, N.W. Washington, D.C. 20005 <i>Attorney for United States</i>
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I declare under penalty of perjury under the laws of the State of California and the United States of America the foregoing is true and correct.

This declaration was executed on July 22, 2025, at San Francisco, California.

Vanessa Jordan
Declarant

Vanessa Jordan
Signature